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27 Corporation

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

20 ORACLE USA, INC., a Colorado corporation;
21 ORACLE AMERICA, INC. a Delaware
corporation; and ORACLE INTERNATIONAL
22 CORPORATION, a California corporation.

23 Plaintiffs

v.

24 RIMINI STREET, INC., a Nevada corporation;
25 SETH RAVIN, an individual.

26 Defendants.

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Case No. 2:10-cv-00106-LRH-PAL

**PLAINTIFFS ORACLE'S MOTION
TO SEAL THEIR OPPOSITION TO
DEFENDANTS RIMINI STREET,
INC.'S AND SETH RAVIN'S
MOTION FOR RECONSIDERATION
ON THE ADMISSIBILITY OF
THEIR POST-2011 CONDUCT**

Judge: Hon. Larry R. Hicks

1 Pursuant to the Stipulated Protective Order governing confidentiality of documents
 2 entered by the Court on May 21, 2010, Dkt. 55 (“Protective Order”), and Rules 5.2 and 26(c) of
 3 the Federal Rules of Civil Procedure, Plaintiffs Oracle USA, Inc., Oracle America, Inc., and
 4 Oracle International Corporation (together “Oracle” or “Plaintiffs”) respectfully request that the
 5 Court order the Clerk of the Court to file under seal an unredacted copy of Oracle’s Motion to
 6 Seal Their Opposition to Rimini’s Motion for Reconsideration on the Admissibility of Their
 7 Post-2011 Conduct (“Motion”) and Exhibit 1 to the Declaration of Kieran P. Ringgenberg in
 8 Support of Plaintiffs Oracle’s Opposition to Rimini’s Motion for Reconsideration on the
 9 Admissibility of Their Post-2011 Conduct (“Ringgenberg Declaration”). Unredacted copies of
 10 the Motion and Exhibit 1 were individually lodged under seal with the Court on September 30,
 11 2015.

12 Sealing of the unredacted Motion and Exhibit 1 is requested because the redacted
 13 portions contain information that Rimini Street, Inc. and Seth Ravin (collectively the
 14 “Defendants”) have designated as “Confidential Information” and “Highly Confidential
 15 Information – Attorneys’ Eyes Only” under the terms of the Protective Order. The Protective
 16 Order states, “Counsel for any Designating Party may designate any Discovery Material as
 17 ‘Confidential Information’ and ‘Highly Confidential Information – Attorneys’ Eyes Only’ under
 18 the terms of this Protective Order only if such counsel in good faith believes that such Discovery
 19 Material contains such information and is subject to protection under Federal Rule of Civil
 20 Procedure 26(c). The designation by any Designating Party of any Discovery Material as
 21 ‘Confidential Information’ or ‘Highly Confidential Information – Attorneys’ Eyes Only’ shall
 22 constitute a representation that an attorney for the Designating Party reasonably believes there is
 23 a valid basis for such designation.” Protective Order ¶ 2.

24 For sealing requests relating to non-dispositive motions, such as this, the presumption of
 25 public access to court filings may be overcome by a showing of good cause under Rule 26(c).
 26 See *Pintos v. Pacific Creditors Ass’n*, 605 F.3d 665, 678 (9th Cir. 2010); *Kamakana v. Honolulu*,
 27 447 F.3d 1172, 1179 (9th Cir. 2006). Defendants have identified the information redacted in the
 28 Motion as well as Exhibits C-E as Confidential and Highly Confidential, and therefore have

1 represented that good cause exists for sealing those portions of the documents. This is a
 2 sufficient showing of good cause to permit a sealing order on a non-dispositive motion. *See,*
 3 *e.g., Pac. Gas & Elec. Co. v. Lynch*, 216 F. Supp. 2d 1016, 1027 (N.D. Cal. 2002).

4 **TESTIMONY AND DOCUMENTS DESIGNATED BY RIMINI AS CONFIDENTIAL**
 5 **OR HIGHLY CONFIDENTIAL – ATTORNEYS’ EYES ONLY**

6 Rimini has designated the following documents cited or referred to in Oracle’s motion
 7 and proposed order as Confidential or Highly Confidential – Attorneys’ Eyes Only:
 8

9 EX. NO.	DESCRIPTION	CONF. DESIGN.
10 1	Excerpts from the 30(b)(6) deposition of Brian Slepko taken on August 24, 2010.	Highly Confidential

12
 13 For the foregoing reasons, Oracle respectfully requests that the Court find that good cause
 14 exists to file under seal the unredacted copies of the Motion and Exhibit 1, and to issue an order
 15 sealing the same.

16
 17 DATED: September 30, 2015 BOIES SCHILLER & FLEXNER LLP

18
 19 By: /s/ Kieran P. Ringgenberg

20 Kieran P. Ringgenberg
 21 Attorneys for Plaintiffs
 22 Oracle USA, Inc., Oracle America, Inc.,
 23 and Oracle International Corp.